

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3
4 Michael Smith,

5 Plaintiff

6 v.


7 Christy Craig-Rohan, et al.,

8 Defendants

Case No.: 2:18-cv-02207-JAD-VCF

Order Re: Suggestion of Death

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10 Defendant NaphCare filed a suggestion of Plaintiff Michael Smith's death on the record
11 on July 29, 2022.¹ Federal Rule of Civil Procedure 25(a)(1) states that "[i]f a party dies and the
12 claim is not extinguished, the court may order substitution of the proper party. . . . If the motion
13 is not made within 90 days after service of a statement noting the death, the action by or against
14 the decedent must be dismissed." Because Smith's death was noted in NaphCare's July 29,
15 2022, filing, IT IS ORDERED THAT any appropriate substitution motion must be filed by
16 October 26, 2022, or this case will be dismissed under Rule 25 without further prior notice.

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19 U.S. District Judge Jennifer A. Dorsey
20 October 3, 2022
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28 ¹ ECF No. 48.